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~~June 29, 2024~~

*The time to serve is
extended to 10/21/24.*

*Denise Cote
10/7/24*

Via ECF

Honorable Denise L. Cote, USDJ
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 14D
New York, NY 10007

**Re: *Quantum Technology Innovations, LLC v. Warner Bros. Discovery, Inc.*;
24-cv-04750-AKH
Letter Motion for Order Extending Time for Service**

Your Honor:

We represent Plaintiff Quantum Technology Innovations, LLC in the above matter. We respectfully submit this letter motion for an Order permitting Plaintiff an extension of time to serve Defendant Warner Brothers Discovery, Inc. Good cause exists for this application based upon the following facts.

Plaintiff filed the Complaint in this matter on June 21, 2024. (Dkt. No. 1). Plaintiff requested that the Clerk issue a Summons that day, which was issued and signed by the Clerk on June 24, 2024. (Dkt. No. 6). The Summons listed Defendants address at 230 Park Ave., Suite 1, New York, NY 10003. Plaintiff's agent attempted personal service at that address but was advised that the proper address was 230 Park Ave., South, New York, NY 10003. Accordingly, on August 8, 2024 Plaintiff requested issuance of a corrected Summons with that address and proceeded to effectuate service pursuant to Rule 4(h) upon the Clerk's issuance of same. (Dkt. Nos. 11 and 12).

When Plaintiff's agent attempted service upon a suitable individual at Defendant Warner Brothers Discovery, Inc.'s principal place of business, the receptionist advise that all legal process must be served on Defendant's agent (Corporation Service Company) at 80 State Street, Albany, NY. On September 24, 2024, Plaintiff served Defendant's agent pursuant to the instructions given. See Affidavit of Service, annexed as Exhibit 1.



Honorable Denise L. Cote, USDJ
October 5, 2024
Page 2

On October 1, 2024, Plaintiff received a letter from Corporation Service Company advising that service was rejected, but not specifying why. Corporation Service Company is listed as the Registered Agent for Defendant on Defendant's SEC Filing of its Second Restated Certificate of Incorporation. (See Exhibit 2). However, the address given by Warner Brothers' receptionist to Plaintiff's process server differs from the address listed on Defendant's Second Restated Certificate of Incorporation (which is Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808).

Despite Plaintiff's efforts, it has been unable to serve Defendant Warner Brothers within the time mandated by Fed.R.Civ.P. 4(m). Accordingly, Plaintiff respectfully requests an extension of the 90 day time limit for service of the Summons and Complaint under Fed.R.Civ.P. 4(m) and leave to serve the Amended Summons and Complaint upon Defendant on or before November 13, 2024. This would be an additional 45 days beyond the time required in Fed.R.Civ.P. 4(m). The reason for this requested time is that although Defendant lists its registered agents address at Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808, the correspondence from CSC (which was sent from the same Delaware address) indicates that it may no longer be the registered agent. If service upon CSC at the Delaware address fails Plaintiff may have to resort to substituted service.

Respectfully yours,

/s/ David A. Ward
DAVID A. WARD